

Docket No.: 065326-0033



DFW

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 20277
Masahiro HORIE	:	Confirmation Number: 4403
Application No.: 10/791,780	:	Group Art Unit: 2877
Filed: March 04, 2004	:	Allowed: April 26, 2006
	:	Examiner: Isiaka O. Akanbi
For: SPECTROSCOPIC ELLIPSOMETER	:	

**REQUEST FOR ACKNOWLEDGEMENT OF PRIORITY CLAIM AND PRIORITY DOCUMENTS**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice of Allowance dated April 26, 2006. In reviewing file we note that the Examiner has not acknowledge receipt of the priority claim or the certified priority documents.

The certified priority documents in the above-referenced application were filed with the U.S. Patent and Trademark Office on March 4, 2004, as evidenced by the enclosed copies of the stamped return postcard, transmittal letter and the first page of the priority documents.

It is respectfully request the receipt of the certified priority document be acknowledged.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Stephen A. Becker

Registration No. 26,527

**Please recognize our Customer No. 20277 as our correspondence address.**

600 13<sup>th</sup> Street, N.W.  
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Phone: 202.756.8000 SAB:MWE  
Facsimile: 202.756.8087  
Date: May 9, 2006

Applicant: Masahiro HORIE Docket No. 65326-033 Serial/Reg./Patent No. Not yet assigned

Title: SPECTROSCOPIC ELLIPSONETER

Date Sent: 3/4/2004 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ Express Mail No.           

☒ Transmittal Letter

☐ New Patent App ☒ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

☐ Other:           

☐ 17 pages of Specification ☐ Letter submitting            pages of drawings

☐ 6 pages of Claims ☐ Req. for Approval of Drawing Amendments

☐ 1 pages of Abstract ☐ Req. for Oral Hearing

☐ 3 pages of Formal Drawings ☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Small Entity ☒ Large Entity ☐ Rule 312 Amendment/Letter

☒ Declaration/Power of Attorney ☐ Req. for Acknowledgement of Cited Art

☒ Recordation of Assignment ☐ Issue Fee

☒ Information Disclosure Statement ☐ Publication Fee

☐ 1 Form PTO 1449 ☐ Req. for Certificate of Correction

☐ 1 copies of cited references ☐ Maintenance Fee for            years after grant

☐ Preliminary Amendment ☐ Fee Address Indication Form

☐ Response to Missing Parts Notice ☐ Terminal Disclaimer

☐ Resp. to Notice to Correct App. Papers ☐ Petition to Commissioner

☒ Certified Copy of Priority Doc. ☐ Status Inquiry

☒ Claim for Convention Priority ☐ Other           

☐ Response/Amendment to Office Action of           

☐ Request for            month Extension of Time

Check for \$	<input checked="" type="checkbox"/> Charge Deposit Acct. 500417\$	896.00	Atty Init.	SAB	Tkpr. #	4233	Secy. or PL:	GVeppumthara
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CMS Descrip.:	1-770.00	3-86.00	4-40.00	Early Serial Number
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THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.





Case Docket Number: 65326-033

Customer Number: 20277

**UTILITY PATENT APPLICATION  
UNDER 37 CFR 1.53(b)**

Mail Stop New Patent Utility Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Transmitted herewith for filing is the patent application of:

INVENTOR: Masahiro HORIE  
FOR: SPECTROSCOPIC ELLIPSOMETER

Enclosed are:

- ☒ 24 pages of specification, claims, abstract.
- ☒ Declaration and Power of Attorney.
- ☒ Priority Claimed.
- ☒ Certified copy of Japanese Patent Application No. JP 2003-141796  
Japanese Patent Application No. JP 2003-395259
- ☒ 3 sheets of formal drawing.
- ☒ An assignment of the invention to DAINIPPON SCREEN MFG. CO., LTD.  
and the assignment recordation fee.
- ☐ An associate power of attorney.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- ☒ Information Disclosure Statement, Form PTO-1449 and reference.
- ☒ Return Receipt Postcard


The filing fee has been calculated as shown below:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	19	-20	0	\$18.00	\$0.00
Independent Claims	4	-3	1	\$86.00	\$86.00
Multiple Dependent Claim(s)					\$0.00
Basic Fee					\$770.00
Total of Above Calculations					\$856.00
Less ½ for Small Entity					\$0.00
Assignment & Recording Fee					\$40.00
Total Fee					\$896.00

- ☒ Please charge my Deposit Account No. 500417 in the amount of \$896.00. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 500417. A duplicate copy is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 500417. A duplicate copy of this sheet is enclosed.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Stephen A. Becker  
Registration No. 26,527

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**Date: March 4, 2004**